



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re Application of: Gregory Speicher

Serial No.: 09/833,099

Group Art Unit: TBA

Filed: April 11, 2001

Examiner: TBA

For: INTERNET-AUDIOTEXT ELECTRONIC Attorney Docket No. 935-012
ADVERTISING SYSTEM WITH
PSYCHOGRAPHIC PROFILING AND
MATCHING

4/1/02
H 4/1/02
Petition
WID Abandonment
12-1-02
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Technology Center 2600

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO REVIVE IMPROPERLY ABANDONED APPLICATION

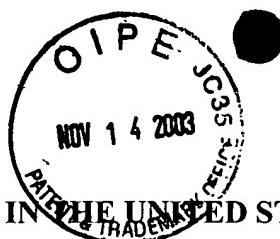
SIR:

It is respectfully requested that the above-referenced application, improperly abandoned by the Patent and Trademark Office pursuant to a Notice of Abandonment dated October 27, 2003, be revived for the reasons stated in the attached Declaration by the undersigned attorney. It is believed that no fee is required as the abandonment was not the result of any error by the Applicant.

Respectfully submitted,

David M. Hill
Reg. No. 46,170
WARD & OLIVO
708 Third Avenue
New York, New York 10017
(212) 697-6262

Date: November 12, 2003



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**DECLARATION ATTESTING TO MAILING OF PATENT
OFFICE CORRESPONDENCE UNDER 37 C.F.R. § 1.8(a) AND
NON-RECEIPT OF FURTHER PATENT OFFICE COMMUNICATION**

I, David M. Hill, declare that our records indicate that on April 11, 2001, the subject application was filed with the Patent Office. Until receipt of the Notice of Abandonment dated October 27, 2003, no further Patent Office communication had been received by our office regarding the subject patent application. Specifically, our records indicate that the Notice to File Missing Parts (Notice) allegedly mailed on May 1, 2001 regarding the subject application was never received by our office. A copy of our firm's regular Patent Office communication recording sheet for this application is attached as Exhibit 1. As shown, no entry exists for any Patent Office communication dated May 1, 2001, thereby indicating that no such document was ever received by our office. In an attempt to learn the status of this application, applicant filed a Status Request on August 6, 2002. A copy of this Status

Request is attached as Exhibit 2. Again, no response was ever received.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



David M. Hill
Reg. No. 46,170
WARD & OLIVO
708 Third Avenue
New York, New York 10017
(212) 697-6262

Date: November 12, 2003



BEST AVAILABLE COPY

Inventor Gregory J. Speicher (Worthington Voice Services, Inc.)

Serial No. _____ Filed April 11, 2001

Title INTERNET-AUDIOTEXT ELECTRONIC ADVERTISING
SYSTEM WITH PSYCHOGRAPHIC MATCHING AND PROFILING

Assignee:

Assignment Recorded _____ Reel _____ Frame _____

Internal - Audio-Text Electronic Advertising System with Psychographic Matching and Profiling

Speicher, Gregory J. (WORTHINGTON)

SERIAL NO. 935-01

Allowed _____ **Final Fee Paid** _____



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In re Application of:

Gregory J. Speicher

Serial No.:

TBA

Filing Date:

April 11, 2001

For: INTERNET - AUDIOTEXT ELECTRONIC ADVERTISING SYSTEM
WITH PSYCHOGRAPHIC PROFILING AND MATCHING

Submitted:

1. Status Inquiry (5 pages); and
2. Return-address stamped envelope.

Atty. Doc. No.: 935-012

Dated: August 6, 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 14 2003

PATENT

In re Application of: Speicher

Serial No.: TBA

Group Art Unit: TBA

Filed: April 11, 2001

Examiner: TBA

For: INTERNET - AUDIOTEXT
ELECTRONIC ADVERTISING SYSTEM WITH
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Attorney Docket No. 935-012

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Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20251

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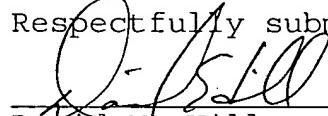
STATUS INQUIRY

S I R:

Approximately one year and four months have passed since the filing of Applicant's above-identified continuation patent application. A review of our files indicates that no PTO action has occurred on this application. As you can see from the enclosed response from the United States Postal Service that Express Mail item number ET025423844US, which corresponds to the filing of the subject application (a copy of the Utility Patent Application Transmittal showing the Express Mail Label No. and the Express Mailing Receipt are attached), was received by the USPTO on April 12, 2001.

Kindly advise the undersigned of the present status of the application by completing the enclosed Status Inquiry Reply. A return-address envelope is provided for your convenience.

Respectfully submitted,



David M. Hill

Reg. No. 46,170
WARD & OLIVO
708 Third Avenue
New York, NY 10017
(212) 697-6262

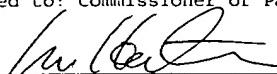
Date: August 6, 2002

CERTIFICATE UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20251, on the date indicated below.

Michael Heitmann

(Name)



(Signature)

(Reg. No.)

8/6/02

(Date)



Date: 06/13/2002

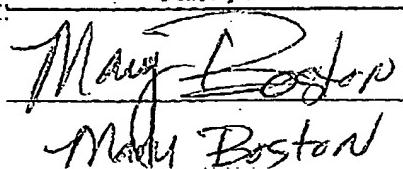
Fax Transmission To: MICHAEL HEITMANN
Fax Number: 212-972-5866

Dear MICHAEL HEITMANN:

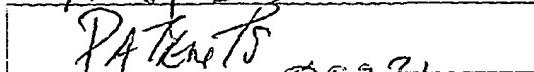
The following is in response to your 06/13/2002 request for delivery information on your Express Mail item number ET025423844US. The delivery record shows that this item was delivered on 04/12/2001 at 11:19 AM in WASHINGTON, DC 20531 to M BOSTON. The scanned image of the recipient information is provided below.

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Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

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Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|----------------------------|
| Attorney Docket No. | 935-012 |
| First Inventor | Speicher, Greg |
| Title | INTERNET - AUDIOTEXT ELEC. |
| Express Mail Label No. | ET 025423844 US |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification *(Preferred arrangement set forth below)* [Total Pages 53]
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 14]
5. Oath or Declaration [Total Pages 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:
Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney *(when there is an assignee)*
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of parent application No. 08/865,261

Prior application information:

Examiner: Pizarro, R.

Group Art Unit: 2663

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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|--|---|-----------|----------------|---|
| <input type="checkbox"/> Customer Number or Bar Code Label | (Insert Customer No. or Attach bar code label here) | | | <input type="checkbox"/> Correspondence address below |
| Name | Ward & Olivo | | | |
| Address | 708 Third Ave | | | |
| City | New York | State | New York | Zip Code 10017 |
| Country | USA | Telephone | (212) 697-6262 | Fax (212) 972-5866 |

| | | | |
|-------------------|---------------|-----------------------------------|---------------|
| Name (Print/Type) | David M. Hill | Registration No. (Attorney/Agent) | 46,170 |
| Signature | | | Date 04/11/01 |

Customer Filing Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments or suggestions you have concerning this form should be sent to the Chief Information Officer, Office of the Commissioner, Patent and Trademark Office, Washington, DC 20231. Please do not send fees or completed PTO forms to the above address. Instead, file your application or related papers at the Patent and Trademark Office, Washington, DC 20231.

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2

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PATENT
935-012

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Attorney Docket No. 935-012

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20251

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STATUS INQUIRY REPLY

The above-identified application awaits:

- action by the Examiner.
- applicant's response to the Office Action mailed
on _____.
- Other : _____